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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 49/2024 & CRL.M.A. 197/2024 (Exemption)

NEERAJ & ORS.

..... Petitioners

Through: Mr. Kamlesh Sharma, Advocate
alongwith petitioners in person.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR....Respondents

Through: Mr. Hitesh Vali, APP for the State
with Mohd. Asif, Advocate.

SI Aarti, PS Bhalswa Dairy.

Ms. Kamakshi Garg, Advocate for
R-2 alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

04.01.2024

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1. The present writ petition under Section 482 of the CrPC seeks quashing of FIR No. 587/2022, under Sections 354/354(A)/509/377 of the IPC, registered at P.S. Bhalswa Dairy and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti, Metropolitan Magistrate (Mahila Court-01), North District, Rohini Court, Delhi.

2. Learned counsel appearing on behalf of the petitioners submits that the dispute in the present FIR is matrimonial in nature inasmuch as petitioner no. 1 and respondent no. 2 are married. The marriage between petitioner no.1/husband and respondent no.2/wife was solemnized on 24.04.2019 as per Hindu rites and customs and one son was born out of the said wedlock.



3. Due to matrimonial differences between petitioner no. 1 and respondent no. 2, the latter left her matrimonial home and started residing with her parents. Subsequently, respondent no.2/complainant registered an FIR against the petitioners. It is further submitted that the parties have now settled their disputes with the intervention of elders and other well wishers *vide* memorandum of understanding dated 07.06.2023. The copy of the aforesaid compromise deed dated 07.06.2023 is on record (Annexure P-2). It is further stated that the parties living together, at their matrimonial home, since 01.06.2023, alongwith their minor son.

4. Petitioners and complainant/respondent no. 2 are present before the Court and have been duly identified by their respective counsel, as well as the Investigating Officer, SI Aarti, PS Bhalswa Dairy.

5. The Complainant/respondent No.2 states that the matter has been settled and she is living with petitioner no. 1 since 01.06.2023 at their matrimonial home and she has no objection if the FIR is quashed against the petitioners.

6. In view of the settlement between the parties, learned APP for the State also has no objection if the present FIR is quashed.

7. In *Gian Singh v. State of Punjab* (2012) 10 SCC 303, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

“61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the



affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings.”

8. In view of the aforesaid circumstances, and the fact that the parties have put a quietus to the dispute, no useful purpose will be served in continuing with the present FIR No. 587/2022, under Sections 354/354(A)/509/377 of the IPC, registered at P.S. Bhalswa Dairy and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti, Metropolitan Magistrate (Mahila Court-01), North District, Rohini Court, Delhi.

9. In the interest of justice, the petition is allowed, and the FIR No. 587/2022, under Sections 354/354(A)/509/377 of the IPC, registered at P.S. Bhalswa Dairy and all other consequential proceedings emanating therefrom, including the chargesheet pending before the Court of Ms. Preeti, Metropolitan Magistrate (Mahila Court-01), North District, Rohini Court, Delhi, is hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

JANUARY 04, 2024/sn